

# EXHIBIT 1



Paul Jones <pj22765@gmail.com>

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**Preservation of Electronically Stored Evidence Preservation Request Civil Action  
No. 19-cv-11093-TSH**

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Paul Jones <pj22765@gmail.com>

Wed, Apr 14, 2021 at 9:19 AM

To: "Deborah I. Ecker" <DEcker@k-plaw.com>, "Lisa M. Kenep" <LKenep@k-plaw.com>, "Mark R. Reich" <mreich@k-plaw.com>, JBardi@k-plaw.com

I am writing under FRCP 37(a)(1) to confer to narrow 2 issues, the first issue is to see if we can create a Joint protective order to submit to the court 8 days before our **April 27, 2021** conference, the second issue is regarding production of a **privileged log** to be served upon the Plaintiff and the courts 8 days before our **April 27, 2021 conference** that conforms to the requirements of the FRCP 26(b)(5) and the case law interpreting same.

***FRCP 26(b)(5) requires a party to provide a list (the privilege log) of the information that will be withheld from a discovery production as privileged. FRCP 26(b)(5) states:***

***When a party withholds information otherwise discoverable by claiming that the information is privileged or subject to protection privileged or work product material, the party must:(i) expressly make the claim; and(ii) describe the nature of the documents, communications, or tangible things not produced or disclosed—and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim.***

Please let me know if the timing is an issue or if you have any other issue regarding my request Thank you.

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Paul Jones <pj22765@gmail.com>

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## Preservation of Electronically Stored Evidence Preservation Request Civil Action No. 19-cv-11093-TSH

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Deborah I. Ecker <DEcker@k-plaw.com>

Wed, Apr 14, 2021 at 9:50 AM

To: Paul Jones <pj22765@gmail.com>, "Lisa M. Kenepp" <LKenepp@k-plaw.com>, "Mark R. Reich" <MReich@k-plaw.com>

Mr. Jones,

The below does not comply with the Court's March 15, 2021 Order. I do not know what type of protective order you are seeking or would be applicable at this stage given the Court's Order. Similarly, there is no need for a privilege log to comply with the Court's Order.

Please remove Jess Bardi from your emails and communications with KP Law going forward. She is no longer an employee of the firm.

Deborah

Deborah I. Ecker, Esq.

KP | LAW

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**From:** Paul Jones <pj22765@gmail.com>

**Sent:** Wednesday, April 14, 2021 9:41 AM

**To:** Deborah I. Ecker <DEcker@k-plaw.com>; Lisa M. Kenepp <LKenepp@k-plaw.com>; Mark R. Reich <MReich@k-plaw.com>; Jessica D. Bardi <JBardi@k-plaw.com>

**Subject:** Re: Preservation of Electronically Stored Evidence Preservation Request Civil Action No. 19-cv-11093-TSH

The relevant time period I request should be from April 2016 until April 1, 2021

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Paul Jones <pj22765@gmail.com>

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**Preservation of Electronically Stored Evidence Preservation Request Civil Action  
No. 19-cv-11093-TSH**

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Paul Jones <pj22765@gmail.com>

Mon, Apr 19, 2021 at 6:56 PM

To: "Deborah I. Ecker" <DEcker@k-plaw.com>, "Mark R. Reich" <MReich@k-plaw.com>, "Lisa M. Kenepp" <LKenepp@k-plaw.com>

I am writing to narrow this issue again, my request for a Joint protection order and for you to produce a Privilege log was not in the Court's March 15, 2021 Order. I am requesting a standard protective order and privilege log from you, I am trying to get an agreement with you that if the court issues an order for discovery no matter the length you will agree to a Standard Joint protection order and that you will produce a Privilege log so I can assess any claimed privileges or protection you may request.

It is no secret that the discovery process in an employment case, as in many other contexts, frequently devolves into a long, drawn-out slog and evidence supporting their strong claim resides exclusively with the employer. I am just looking to avoid a deployment of an array of delays, according to the court's order plaintiff will only be considered to 60 days to perform discovery, this matter is especially important to me if discovery is granted, will you agree to a standard Joint protection order and that you will sub a Privilege log?

Paul Jones

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Paul Jones <pj22765@gmail.com>

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**Preservation of Electronically Stored Evidence Preservation Request Civil Action  
No. 19-cv-11093-TSH**

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Deborah I. Ecker <DEcker@k-plaw.com>

Tue, Apr 20, 2021 at 8:26 AM

To: Paul Jones <pj22765@gmail.com>

Cc: "Lisa M. Kenepp" <LKenepp@k-plaw.com>, "Mark R. Reich" <MReich@k-plaw.com>

Mr. Jones,

My response remains the same.

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